Remarks

Status of the Application

Claims 1-26 and 136-141 are active in the Application. Claims 1, 7, 13, 14, 15, 20, 25 and 26 are independent claims. Claims 140 and 141 are new claims. Claims 1, 7, 13, 14, 15, 20, 21, 25 and 26 are herein amended.

Claims 1-26, 136 and 138 stand rejected under 35 USC §103(a) as unpatentable over Nieboer et al. (U.S. 6,418,419 B1) in view of Waelbroeck et al. (U.S. Patent Application Publication Number 2002/0010672 A1). (Office Action, Para. 3.)

Claims 137 and 139 stand rejected under 35 USC §103(a) as unpatentable over Nieboer et al. and Waelbroeck et al. and further in view of Nordlicht et al.(U.S. Patent Application Publication Number 2005/0137964 A1). (Office Action, Para. 4.)

This rejection is respectfully submitted to be mute in view of the amendments to the claims made herein.

Amendments To The Claims

Each of the independent claims has been amended to add limitations that more clearly recite the invention as providing tools for use by market makers in providing liquidity in a barter order trading system.

With respect to independent claims 1, 7, 13 and 14, each now recites a method (claims 1 and 13) or system (claims 7 and 14) for responding to a financial order which provides liquidity in a financial trading system for barter orders, including the newly added elements of:

> a method or apparatus for providing to a market maker a means operable to generate a plurality of rules for automatically responding to barter orders;
> a method or apparatus for repeating, for each barter order request received from a trader, the steps of matching, automatically responding and providing, whereby to provide liquidity in a financial trading system for barter orders.

With respect to independent claims 15, 20, 25 and 26, each now recites a method (claims 15 and 25) or system (claims 20 and 26) for establishing rules to respond to barter orders which provides liquidity in a financial trading system for barter orders, including the newly added elements of:

> a method or apparatus for providing to a market maker a graphical user interface providing access to the plurality of variables and the plurality of ·

11

operators, the graphical user interface operable by the market maker to generate a plurality of rules for automatically responding to barter orders;

a method or apparatus for repeating, for each barter order, the step of automatically generating, whereby to provide liquidity in a financial trading system for barter orders.

Newly added claims recite steps for automatically responding to barter orders (claims 1, 13) and steps for automatically generating contra orders (claims 15, 25) as including responding to and generating, respectively, an implied order.

The independent claims were otherwise amended to further limit certain elements, typographical errors were corrected and minor amendments were made throughout for purposes of consistency. All amendments find support in the specification. No new matter has been added.

Applicant's Response

It is respectfully submitted that the rejections in the subject Office Action are moot in view of the amendments provided herein.

More specifically, none of the references show or suggest, separately or in combination, the methods and systems of providing a market maker a tool, in the form of a means operable to generate rules (claims 1, 7, 13, 14) or a graphical user interface providing access to variables and operators to generate rules (claims 15, 20, 25 and 26) whereby the claimed processes and apparatuses can operate with certain automated steps to provide liquidity in a system for trading barter orders.

The dependent claims are submitted to be patentable as both depending from patentable independent claims and as adding patentable limitations in their own right. Applicants expressly reserve the right to argue the patentability of the individual dependent claims at a later time.

For these reasons, it is respectfully submitted that the invention as claimed is patentable over the art of record. Entry of this amendment and a timely allowance of the active claims are respectfully requested.

The amendments made herein are without prejudice to expedite prosecution at this time. Applicants expressly reserve the right to pursue the original claims and/or broader claims at another time.

The Examiner is invited to telephone Applicants' attorney at the number indicated below if such communication would facilitate the examination of the application.
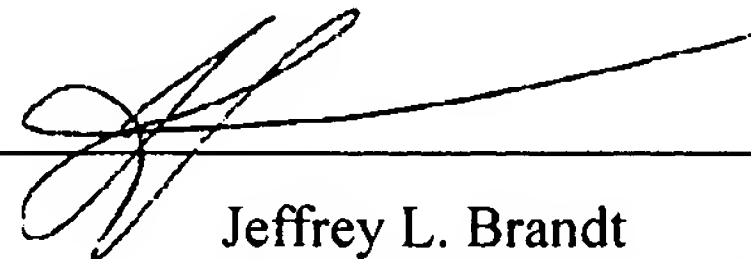
Authorization

If the Commissioner determines that an additional fee is due, Applicants' attorney authorizes the Commissioner to charge any required fee, or credit any overage, to deposit account 50-3834.

Respectfully submitted,

Date: January 19th, 2007   By :_____

                                                        Jeffrey L. Brandt
                                                        Registration No. 31,490

Mailing Address:

Jeffrey L. Brandt
c/o Intellevate
900 Second Avenue South
Suite 1700
Minneapolis MN 55402
United States of America
Office: 1 (203) 438-1077
Fax: 1 (866) 422-4530